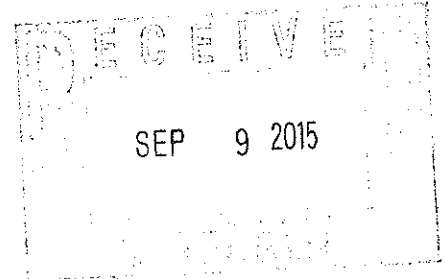


**UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT  
OF NEW YORK**

**GARY D TAYLOR [ PRO SE ]  
SUSAN P TAYLOR  
PLAINTIFF**



**THE BANK OF NEW YORK MELLON  
TRUST COMPANY N A  
AS TRUSTEE FOR RESIDENTIAL CAPITAL L. L.C.  
Defendants**

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**MOTION TO ENTER A COMPLAINT BEFORE THE COURT**

1. Where as The Bank Of New York Mellon Trust Company N.A. AS trustee for Residential Capital L.L.C. Has requested and been granted a monetary judgment against the plaintiffs [ Gary D. Taylor & Susan P. Taylor who are claimants against Residential Capital L.L.C. In their bankruptcy filing.. This request appears to be a violation of federal rules of Bankruptcy Procedure. Plaintiffs request that a hearing Date be set in order to asses the facts ralated to this claim.
- 2 Evidence is submitted as Exibt A.  
Plaintiffs request that A hearing be held with the plaintiffs partticipating Telephonically.

**REQUESTED REMEDY**

- 1 Plaintiffs request this violation of the Federal Bankruptcy codes &The orders of this Honorable court be handled according to the remedy specitic to the bankruptcy laws and the courts orders.

**SUBMITTED BY**

**GARY D TAYLOR [ Pro Se]]**

Hearing Date and Time: March 12, 2015 at 10:00 a.m. (prevailing Eastern Time)  
Objection Deadline: March 2, 2015 at 4:00 p.m. (prevailing Eastern Time)

KRAMER LEVIN NAFTALIS & FRANKEL LLP  
Kenneth H. Eckstein  
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Joseph A. Shifer  
1177 Avenue of the Americas  
New York, New York 10036  
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*Counsel for the ResCap Liquidating Trust*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re:

RESIDENTIAL CAPITAL, LLC, et al.,

Debtors.

)  
) Case No. 12-12020 (MG)

)  
) Chapter 11

)  
) Jointly Administered  
)

**NOTICE OF RESCAP LIQUIDATING TRUST'S MOTION FOR ENTRY OF AN  
ORDER ESTABLISHING PROCEDURES ENFORCING INJUNCTIVE  
PROVISIONS OF PLAN AND CONFIRMATION ORDER**

**PLEASE TAKE NOTICE OF THE FOLLOWING:**

1. On February 19, 2015, the ResCap Liquidating Trust filed its *Motion for Entry of an Order Establishing Procedures Enforcing Injunctive Provisions of Plan and Confirmation Order* (the "**Motion**").
2. A hearing (the "**Hearing**") to consider the Motion shall be held before the Honorable Martin Glenn, United States Bankruptcy Judge, in Room 501 of the United States Bankruptcy Court, Alexander Hamilton Custom House, One Bowling Green, New York, New York, 10004-1408, on **March 12, 2015 at 10:00 a.m.** (prevailing Eastern Time).
3. Any objections to the Motion must be made in writing, conform to the Federal Rules of Bankruptcy Procedure, the Local Bankruptcy Rules of the Southern District of New York, and the Notice, Case Management, and Administrative Procedures approved by the Bankruptcy Court [Docket No. 141], be filed electronically by registered users of the Bankruptcy Court's electronic filing system, and be served, so as to be received no later than **March 2, 2015 at 4:00 p.m.** (prevailing Eastern Time) upon (a) Chambers of the Honorable Martin Glenn, United States Bankruptcy Court for the Southern District of New York, Alexander Hamilton Custom House, One Bowling Green, New York, New York 10004-1408; (b) co-counsel to the

297	United States of America, ex rel, and James R. Adams and Puoy K., Premisrnt, vs. Aurora Loan Services LLC, BAC Home Loans Servicing LP, Bank of America NA, Chase Home Finance LLC, GMAC Mortgage Corporation, Citimortgage Inc, Countrywide Home Loans Serv	Nevada	USDC-Nevada	2:11-cv-00535-RCJ-PAL		Sigal Cahitah Chattah Dimopoulos 5875 South Rainbow Blvd. Las Vegas, NV 89118
298	STATE OF OHIO ex rel. DAVID P. JOYCE, PROSECUTING ATTORNEY OF GEauga COUNTY, OHIO on behalf of Geauga County and all others simily situated vs. GMAC RESIDENTIAL FUNDING CORPORATION; MERSCORP, INC; HOME SAVINGS & LOAN COMPANY OF YOUNGSTOWN; BANK OF AMERIC	Ohio	Geauga County-Court of Common Pleas	11M 10 2		BERNSTEIN LIEBHARD LLP Stanley Bernstein 10 East 40th Street, New York, NY 10018
299	ELIZA HEMENWAY VS GMAC MORTGAGE LLC	California	Sonoma County-Superior Court	Case No. SCV 253195		John Stringer Law Office of John Stringer 259 Oak Street San Francisco, CA 94102
300	Jeffrey D Summers v. GMAC Mortgage	Massachusetts	Middlesex District Court Department, Small Claims Session	1250SC000058	Pro Se	Jeffrey D. Summers 51 Grace Street, Malden, MA 02148 and George M. Wessel, 3451 Hammond Avenue, Watertoo, IA 50104
301	Jose Omelas and Maria Omelas vs. Melvina Yvette Sumter, Homecomings Financial Network and Mortgage Electronic Registration Systems, Inc., aka MERS	South Carolina	Newberry County-Circuit Court-8th Judicial Circuit	2012 CP 3600215		Trey Harrell, III, Esq. Harrell & Martin, P.A. P.O. Box 1000 135 Columbia Avenue Chaplin, SC 29036
302	Brian Patrick Sweeney, Christine Carter Sweeney v. Federal National Mortgage Association, GMAC Mortgage LLC, Mortgage Electronic Registration Systems, Inc. and Nationstar Mortgage LLC	Michigan	Kalamazoo County-Court-9th Judicial Circuit	2012-0169 CK		Ronald W. Ryan, Esq. LEWIS REED & ALLEN P.C. 136 East Michigan Ave. Suite 800 Kalamazoo, MI 49007
303	Robert Sweeting vs. GMAC Mortgage, LLC	California	California Court of Appeal-4th Appellate District-Division Three	G045198	Pro Se	Robert Sweeting 7071 Warner Ave. Unit F81 Huntington Beach, CA 92647
304	ROBERTA WHITE V. GREGORY POWELL, ANITA SWEETWYNE, DAVID E. NAGLE, KATJA HILL, SAMUEL I. WHITE, P.C., HOMECOMINGS FINANCIAL, LLC AND VIRGINIA CREDIT UNION, INC.	Virginia	Middlesex County-Circuit Court-9th Judicial Circuit	CL08-17		Irving B. Goldstein, P.C. 741 J. Clyde Morris Blvd. Suite A Newport News, VA 23601
305	Jack Tambllyn and Terrie Tambllyn v. GMAC Mortgage, LLC, fka GMAC Mortgage Corporation, LSI Title Agency, Inc., Mortgage Electronic Registration Systems	Washington	Citallam County-Superior Court	12-2-00099-1		Wesley Foreman, Esq. TRIAD LAW GROUP 209 Dayton Street Suite 105 Edmonds, WA 98020
306	Darron Tarleton vs. Trans Union, LLC and Equifax Information Services LLC and Experian Information Solutions, Inc. and Cowan Loan Servicing, LLC and GMAC Mortgage, LLC	Pennsylvania	USDC-ED-Pennsylvania	2:14-CV-3769		Mark D. Mailman, Esq. Land Title Building 19th Floor 100 South Broad Street Philadelphia, PA 19110
307	GMAC Mortgage, LLC v Gary D. Taylor, Susan P. Taylor, and Fictitious Defendants One through Ten, Whose names and identities are otherwise unknown to the plaintiff but whose true names will be substituted by amendment when they are ascertained, and who are	Alabama	Tuscaloosa County-Circuit Court	63-CV-2013-900129.00		Linda C. Dunn, Esq. Law Offices of Linda C. Dunn, LLC 521 Energy Center Blvd. Suite 1505 Northport, AL 35473
308	GMAC Mortgage, a foreign company doing business in Nevada, Cowan Loan Servicing, LLC, a foreign limited liability company doing business in Nevada, Does and Roe Entities 1-10	Nevada	USDC-Nevada	2:11-CV-00633-JCM-LRL		Joseph T. Noid Accelerated Law Group, Inc. 824 South 10th Street Las Vegas, NV 89101
309	Eric Tenu Thomas Jr and Alice Thomas Vs J.P. Morgan Chase, Aames funding home loans, Webittle, GMAC Mortgage Corporation, Home Sales, Inc, Olympus Asset Management, City Capital Mortgage, Banking Corp, Mortgage Electronic Registration Systems, Inc (MERS),	New York	Kings County-Supreme Court-2nd Judicial District	20419/2013		Stuart R. Shaw, Esq. 30 West 85th Street First Floor New York, NY 10025
310	BANK OF AMERICA, NA V GMAC MORTGAGE LLC, fka GMAC MORTGAGE CORPORATION, EXECUTIVE TRUSTEE SERVICES, LLC, a Delaware Limited Liability company, fka EXECUTIVE TRUSTEE SERVICES, INC., a Pennsylvania Corporation; IVORY THOMAS, an individual	California	Los Angeles County-Superior Court	BC470150		David S. Bartelstone Cunningham & Treadwell 21800 Oxnard Street Woodland Hills, CA 91367
311	DONNA R. TIPTON v. BALTIMORE AMERICAN MORTGAGE CORPORATION, INC, DONALD J. ORDAKOWSKI, JR., HENRY BIEGACZ, RESIDENTIAL FUNDING COMPANY, and JP MORGAN CHASE BANK, NA	Maryland	U.S. Court of Appeal-4th Circuit	11-1291		The Law Offices of E. David Hoskins, LLC David Hoskins 16 East Lombard Street 4th Floor, Baltimore, MD 21202
312	COLEEN ETSUKO TOM AND JOYCELYN WANDA UNCiano VS GMAC MORTGAGE LLC; DAVID B. ROSEN, ESQUIRE, KRISTINE WILSON, INDIVIDUALLY AND IN HER CAPACITY AS LIMITED SIGNING OFFICER FOR GMAC MORTGAGE, LLC; DOE INDIVIDUALS 1-10; DOE BUSINESS ENTITIES 1-10; DOE LLC'S 1	Hawaii	Circuit Court-1st Circuit and Intermediate Court of Appeal-Hawaii	03-1-1029-05 CAAP-13-0000306 CAAP-11-0001081 CAAP-13-0001307	Pro Se	Joyceelyn Wanda Unciano 91-590 Farrington Hwy. 210-226 Kapolei, Hawaii 96707 and Wayne Noelani Tom Coleen E. Tom 92-760 New Place Kapolei, Hawaii 96707
313	Town of Pima v. GMAC Mortgage, LLC	Arizona	Graham County Justice Court, Precinct #2	SC2012 0043	Pro Se	Town of Pima P.O. Box 428 Pima, AZ 85543
314	Christy Strout, Theresa Valencia v. Federal National Mortgage Association, GMAC Mortgage, LLC	Texas	Harris County-District Court-125th Judicial District	2013-09032		Frank A. Rush, Esq. 3806 Live Oak Houston, TX 77004



7/9/2015 10:39 AM  
63-CV-2013-900129.00

CIRCUIT COURT OF  
TUSCALOOSA COUNTY, ALABAMA  
MAGARIA HAMNER BOBO, CLERK

**IN THE CIRCUIT COURT OF TUSCALOOSA COUNTY, ALABAMA**

THE BANK OF NEW YORK MELLON )  
TRUST COMPANY, N.A., )  
Plaintiff, )

V.

TAYLOR GARY D,  
TAYLOR SUSAN P,  
Defendants.

Case No.: CV-2013-900129.00

**ORDER GRANTING MOTION TO CERTIFY ORDER AS FINAL**

MOTION TO CERTIFY THE JUNE 17, 2015 ORDER AS FINAL filed by PLAINTIFF is hereby GRANTED.

**DONE** this 9<sup>th</sup> day of July, 2015.

/s/ JAMES H. ROBERTS JR.  
CIRCUIT JUDGE

F. The Trust's April 15, 2015 Motion for Partial Summary Judgment is GRANTED. The Trust seeks partial summary judgment on its claim for breach of contract arising from the November 11, 2002 Note between Homecomings Financial Network, Inc. and the Taylor Defendants. The Note is now owned by the Trust. The Taylor Defendants have admitted they are in default. Pursuant to the Affidavit of Michele Crampton submitted by the Trust, the total balance owed by the Taylors on the Note as of February 23, 2015, is \$118,064.62, which includes \$68,871.24 in unpaid principal balance, \$35,965.17 in interest through February 23, 2015, \$8,398.60 in escrow advances and \$4,824.11 in outstanding fees and corporate advances. Judgment is hereby entered against the Taylor Defendants in favor of the Trust in the amount of \$118,064.62. Therefore, the Court AWARDS Plaintiff Trust its \$118,064.62 in damages on its breach of contract claim along with costs of court.

G. The Taylor Defendants' April 28, 2015 Motion for Order of Resolution is DENIED.

H. The only remaining claims in this case are the Trust's claims for Fraudulent Suppression, Fraudulent Transfer and Conspiracy against the Taylor Defendants.

**DONE this 17<sup>th</sup> day of June, 2015.**

**/s/ JAMES H. ROBERTS JR.**  
**CIRCUIT JUDGE**



63-CV-2013-900129.00

**IN THE CIRCUIT COURT OF TUSCALOOSA COUNTY, ALABAMA**

TAYLOR GARY D,  
TAYLOR SUSAN P,  
Defendants.

/s/ JAMES H. ROBERTS JR.  
CIRCUIT JUDGE

Gary D. Taylor  
13058 Alla  
Coker, Al.

## **CERTIFICATE OF SERVICE**

KRAMER LEVIN NAFTALIS & FRANKEL LLP  
KENNETH H ECKSTEIN  
DOUGLAS H MANNAL  
JOSEPH A SHIFER  
1177 AVENUE OF THE AMERICAS  
NEW YORK, NEW YORK 10036

I Hereby Certify that a Copy of the Foregoing Motion has been sent to the Attornorys listed above by U S Mail.